7-26-05   CFW 2154

Attorney Docket No. 013883-000001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Peter D. Hallenbeck)	
)	Confirmation # 7492
Application No. 10/068,157)	
)	
Filed: February 6, 2002)	
)	
Examiner: Kenny S. Lin)	
Group Art Unit: 2154)	
)	
Title: Distributed, Packet-Based Premises)	
Automation System)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicant files this paper in response to a Restriction Requirement under 35 U.S.C. 121 dated May 24, 2005. A fee for a one (1) month extension of time is included herewith, for which Applicant hereby petitions. Should the Applicant be mistaken as to the amount of the fees, you are authorized to charge deposit account 13-4365 for any shortfall, or credit said deposit account for any overpayment. Entry of this response and reconsideration of the application is respectfully requested in light of the amendments and remarks contained herein.

Amendments to the Specification begins on page 2 of this paper.
Amendments to the Claims begin on page 3 of this paper.
Remarks/Arguments begin on page 16 of this paper.

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Attorney Docket: 013883-000001

2005 SEP 14 PM 3 27

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Peter D. Hallenbeck

Application Number: 10/068,157   Confirmation No. 7492

Filed: February 6, 2002

For: **INPUT ALIASING IN A PREMISES AUTOMATION SYSTEM**

Asst. Commissioner for Patents
Attn: Refund Department
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR REFUND

Upon review of our deposit account no. 13-4365, a $150.00 fee (fee code 2202) was charged for the above-referenced application on July 25, 2005 in error. Prior to filing an Amendment and Response to Restriction Requirement there were 64 claims. Claims 1-6, and 16-56 were withdrawn, leaving claims 7-15 and 57-64; claims 65-67 were added for a total of 20 claims remaining in the application. Therefore, Applicant herein requests a refund to Moore & Van Allen's deposit account no. 13-4365 in the amount $150.00.

Respectfully submitted,

Date: September 9, 2005   By: _____

Steven B. Phillips
Registration Number: 37,911
Moore & Van Allen PLLC
430 Davis Drive,
PO Box 13706
Research Triangle Park, NC 27709
Telephone: 919-286-8000

> **FACSIMILE TRANSMISSION CERTIFICATE**
> I hereby certify that this correspondence is being filed in the U.S. Patent & Trademark Office, Refund Department, PO Box 1450, Alexandria, VA 22313-1450 on September 9, 2005, to facsimile number (571-273-6300)
>
> No. of Pages _____
>
> Patricia L. Pontello
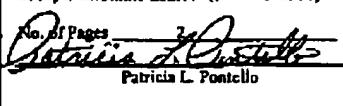
PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2001

Application or Docket Number
01 3883

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	64	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	64 minus 20=	* 44
INDEPENDENT CLAIMS	19 minus 3 =	* 16
MULTIPLE DEPENDENT CLAIM PRESENT		☐

SMALL ENTITY TYPE ☐		OR	OTHER THAN SMALL ENTITY	
RATE	FEE		RATE	FEE
BASIC FEE	370.00	OR	BASIC FEE	740.00
X$ 9=	396	OR	X$18=	
X42=	672	OR	X84=	
+140=		OR	+280=	
TOTAL	1453	OR	TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2

1-25-05 CLAIMS AS AMENDED - PART II

AMENDMENT A

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	* 67	Minus	** 64	= 3
Independent	* 19	Minus	*** 19	= 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18= 50	150
X42=		OR	X84= 200	
+140=		OR	+280=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	150

AMENDMENT B

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X42=		OR	X84=	
+140=		OR	+280=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

AMENDMENT C

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X42=		OR	X84=	
+140=		OR	+280=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

FORM PTO-875 (Rev. 8/01)   Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

JUL 2 5 2005

PETITION FOR EXTENSION OF TIME UNDER 37 CRF 1.136(a)	Docket Number (Optional) 013883-000001

In re Application of: Hallenbeck, Peter D.	
Application Number 10/068,157	Filed February 6, 2002
For DISTRIBUTED, PACKET-BASED PREMISES AUTOMATION SYSTEM	
Group Art Unit 2154	Examiner: Kenny S. Lin

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows
(check time period desired):

[X] One month (37 CFR 1.17(a)(1)) $ 120.00

[ ] Two months (37 CFR 1.17(a)(2)) $_____

[ ] Three months (37 CFR 1.17(a)(3)) $_____

[ ] Four months (37 CFR 1.17(a)(4)) $_____

[ ] Five months (37 CFR 1.17(a)(5)) $_____

[X] Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: $ 60.00

[X] A check in the amount of the fee is enclosed.

[ ] Payment by credit card. Form PTO-2038 is attached.

[ ] The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

[X] The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 13-4365. I have enclosed a duplicate copy of this sheet.

I am the [ ] applicant/inventor

          [ ] assignee of record of the entire interest. See 37 CRF 3.71.
              Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

          [X] attorney or agent of record.

          [ ] attorney or agent under 37 CFR 1.34(a).
              Registration number if acting under 37 CFR 1.34(a)_____.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

_____
                                    Signature

July 25, 2005   Steven B. Phillips
Date   Typed or Printed Name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

[ ] Total of _____1_____ forms are submitted.

TRJIV609858v1

8/18/2005 PYOUNG1 00000002 134365   10068157
1 FC:1202   150.00 DA

Adjustment date: 10/31/2005   SDIRETA1
08/18/2005 PYOUNG1 00000002 134365   10068157
01 FC:1202   150.00 CR

07/27/2005 SSTMIRI 00000028 10068157
01 FC:2251   60.00 OP

10/31/2005 SDIRETA1 00000003 134365   10068157
Sale Ref: 00000003 DA#: 134365 10068157
01 FC:2202   75.00 DA